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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. CR-17-491-RS
)	
v.)	STIPULATION AND PROPOSED ORDER
)	CONTINUING HEARING ON MOTION FOR A
MARC HOWARD BERGER,)	NEW TRIAL AND SENTENCING
)	
Defendant.)	
)	
)	
)	

A hearing on Mr. Berger's Motion for Judgment of Acquittal or, in the Alternative, a New Trial ("Motion for a New Trial") (Dkt. No. 202) has been specially set for November 9, 2018 at 2:00 p.m. Mr. Berger's sentencing hearing is scheduled for November 13, 2018 at 1:30 p.m. Both the defense and the Probation office seek additional time in advance of the Final Pre-Sentence Report. The government has agreed to accommodate the joint request.

Accordingly, the parties hereby agree and stipulate that:

1. The hearing on Defendant's Motion for a New Trial, currently specially set for November 9, 2018, will be continued to November 13, 2018 at 1:30 p.m.; and
2. Mr. Berger's sentencing hearing, currently set for November 13, 2018 at 1:30 p.m., will

STIPULATION AND [PROPOSED] ORDER
[CR-17-491-RS]

1 be continued to December 14, 2018 at 10:00 a.m. The parties' sentencing memoranda must be filed by
2 December 7, 2018; replies, if any, are due December 11, 2018.

3 SO STIPULATED.

4
5 Dated: October 25, 2018

/s/

MIRANDA KANE

Attorney for Defendant Marc H. Berger

8 ALEX G. TSE (CABN 152348)
United States Attorney

10 Dated: October 25, 2018

/s/

ROBERT S. LEACH

Assistant United States Attorney

/s/

LORI HENDRICKSON

Trial Attorney

U.S. Department of Justice, Tax Division

16 ~~PROPOSED~~ ORDER

17 For the foregoing reasons, and good cause appearing, the Court HEREBY ORDERS that the hearing on
18 Defendant Marc. H. Berger's Motion for a New Trial is re-set for November 13, 2018 at 1:30 p.m. The
19 Court further ORDERS that the sentencing hearing in this matter is continued until December 14, 2018
20 at 10:00 a.m. The parties' sentencing memoranda must be filed by December 7, 2018; replies, if any,
21 are due December 11, 2018.

22 **IT IS SO ORDERED.**

24 Dated: 10/25/18

25 
HON. RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE